

DANIEL J. BRODERICK, #89424
Federal Defender
DAVID M. PORTER, Bar #127024
Assistant Federal Defender
Counsel Designated for Service
801 I Street, 3rd Floor
Sacramento, California 95814
Telephone: (916) 498-5700

Seeking Appointment as Attorney for Defendant
PHILLIP JACKSON

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. Cr. F 03- 5054 OWW
)	
Plaintiff,)	REQUEST FOR APPOINTMENT OF
)	COUNSEL; ORDER
v.)	
)	<u>RETROACTIVE CRACK COCAINE</u>
PHILLIP JACKSON,)	<u>REDUCTION CASE</u>
)	
Defendant.)	Date: June 30, 2008
)	Time: 9:00 a.m.
)	Judge: Hon. OLIVER W. WANGER

Pursuant to 18 U.S.C. §§ 3006A(c) and 3582(c)(2), Defendant, PHILLIP JACKSON, hereby requests the court appoint the Office of the Federal Defender and Assistant Federal Defender David M. Porter as counsel to represent him with respect to his motion to reduce sentence pursuant to 18 U.S.C. § 3582(c)(2), filed April 25, 2008. Mr. Porter is familiar with the case and is willing to accept the appointment.*

Appointment of counsel would serve the interests of justice in this case because it might facilitate a negotiated disposition of the motion and because the motion might raise novel legal issues

* Mr. Jackson has authorized the undersigned to file this application on his behalf.

surrounding application of the United States Sentencing Commission's recent retroactive reduction of sentences under the crack cocaine guidelines. Because Mr. Jackson's substantial rights may be affected by these criminal proceedings, he is constitutionally entitled to appointment of counsel. *Mempa v. Rhay*, 389 U.S. 128, 134 (1967).

Accordingly, Mr. Jackson requests the Court issue the order lodged herewith.

Dated: June 17, 2008

Respectfully submitted,

DANIEL J. BRODERICK
Federal Defender

/s/ David M. Porter
DAVID M. PORTER
Assistant Federal Defender

Seeking Appointment as Attorney for Movant
PHILLIP JACKSON

O R D E R

Pursuant to defendant's request, and good cause appearing therefor, the Office of the Federal Defender and Assistant Federal David M. Porter is hereby appointed to represent defendant with respect to his motion to reduce sentence.

IT IS SO ORDERED.

Dated: June 17, 2008

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE